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## SENATE BILL No. 476

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2; IC 13-20-13.

**Synopsis:** Repeal of new tire fee. Repeals the fee of \$0.25 that is imposed on the sale of: (1) each new tire that is sold at retail; and (2) each new tire mounted on a new vehicle sold at retail. Makes conforming amendments.

**Effective:** July 1, 2002.

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### Skillman

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January 14, 2002, read first time and referred to Committee on Environmental Affairs.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## SENATE BILL No. 476

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 13-11-2-231 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 231. (a) "Tire", for  
3 purposes of:

4 (1) IC 13-20-13; ~~except as provided in subsection (b);~~ and  
5 (2) IC 13-20-14;  
6 means a continuous solid or pneumatic rubber covering that is designed  
7 to encircle a wheel of a motor vehicle (as defined in IC 9-13-2-105(a)).  
8 (b) ~~"Tire", for purposes of IC 13-20-13-7, means a continuous solid~~  
9 ~~or pneumatic rubber covering that is designed to encircle a wheel of a~~  
10 ~~vehicle.~~

11 SECTION 2. IC 13-11-2-245 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 245. (a) "Vehicle", for  
13 purposes of IC 13-17-5, refers to a vehicle required to be registered  
14 with the bureau of motor vehicles and required to have brakes. The  
15 term does not include the following:

16 (1) Farm tractors.  
17 (2) Implements of husbandry.



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(3) Farm tractors used in transportation.

(4) Mobile homes (house trailers).

(5) Trailers weighing not more than three thousand (3,000) pounds.

(6) Antique motor vehicles.

(b) "Vehicle", for purposes of IC 13-18-12, means a device used to transport a tank.

(c) "Vehicle", for purposes of IC 13-20-4, refers to a municipal waste collection and transportation vehicle.

~~(d) "Vehicle", for purposes of IC 13-20-13-7, means a motor vehicle and types of equipment, machinery, implements, or other devices used in transportation, manufacturing, agriculture, construction, or mining. The term does not include the following:~~

~~(1) A lawn and garden tractor that is propelled by a motor of not more than twenty (20) horsepower.~~

~~(2) A semitrailer.~~

~~(e)~~ (d) "Vehicle", for purposes of IC 13-20-14, has the meaning set forth in IC 9-13-2-196.

SECTION 3. IC 13-20-13-8, AS AMENDED BY P.L.1-1999, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 8. (a) Except as provided in subsection (d)(2), ~~(d)(3),~~ **(d)(5), and (d)(6), and (d)(7)** the waste tire management fund is established for the following purposes:

(1) Thirty-five percent (35%) of the money deposited in the fund each year shall be used to assist the department:

(A) in the removal and disposal of waste tires from sites where the waste tires have been disposed of improperly;

(B) in operating the waste tire education program under section 15 of this chapter; and

(C) to pay the expenses of administering the programs described in clause (B).

(2) Sixty-five percent (65%) of the money deposited in the fund each year shall be used to assist the department of commerce:

(A) in providing grants and loans to persons involved in waste tire management activities under section 9 of this chapter; and

(B) to pay the expenses of administering the programs described in clause (A).

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(d) Sources of money for the fund are the following:



(1) Fees paid under section 4(a)(6) of this chapter and IC 13-20-14-5(e).

~~(2) Fees collected under section 7 of this chapter. All money deposited in the fund under this subdivision may be used by the department for waste reduction, recycling, removal, or remediation projects.~~

~~(3)~~ (2) Costs and damages recovered from a person under section 14 of this chapter or IC 13-20-14-8. All money deposited in the fund under this subdivision may be used by the department for removal and remediation projects.

~~(4)~~ (3) Fees established by the general assembly for the purposes of this chapter.

~~(5)~~ (4) Appropriations made by the general assembly.

~~(6)~~ (5) Gifts and donations intended for deposit in the fund. A gift or donation deposited in the fund under this subdivision may be specified to be entirely for the use of the department or the department of commerce.

~~(7)~~ (6) Civil penalties collected under IC 13-30-4 for violations of:

(A) this chapter;

(B) IC 13-20-14; and

(C) rules adopted under section 11 of this chapter and IC 13-20-14-6.

All money deposited in the fund under this subdivision may be used by the department for waste tire removal and remediation projects.

SECTION 4. IC 13-20-13-7 IS REPEALED [EFFECTIVE JULY 1, 2002].

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